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C O N F I D E N T I A L SECTION 01 OF 02 HILLAH 000036

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TAGS: PGOV PREL KDEM I2

SUBJECT: GEO WARNS OF ELECTORAL WEAKNESS

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CLASSIFIED BY: Mark G. Davison, Team Leader, Provincial Reconstruction Team, DOS.

REASON: 1.4 (b), (d)

¶1. (U) This is a PRT Diwaniyah cable.

¶2. (C) Summary. In a 24 February meeting, Saad Madhloum Abdullah, the General Electoral Officer (GEO) for Diwaniyah Province under the (soon-to-be-abolished) Independent Electoral Commission in Iraq (IECI) warned that the Independent Higher Electoral Commission Law (IHEC) that was recently passed by the Council of Representatives (CoR) and is awaiting presidential signature will lead to excessive politicization of future elections, gerrymandering of election districts, and increased fraud; and that the only way that provincial council elections can be held before year end will be to delay implementation of the new law until after those elections are held. End Summary.

TECHNOCRATS MAY BE REPLACED BY INCOMPETENTS

¶3. (C) On 24 February 2007, at REO Hillah, PRT Diwaniyah Team Leader and IPAO, and Embassy Baghdad Poloff, met with Diwaniyah GEO Saad Madhloum Abdullah (Saad), at his request, to discuss his concerns about the IHEC. Saad noted that a number of "important and complicated" elections are to be held in the near future, involving (a) Provincial Council (PC) membership; (b) constitutional amendments; (c) status of Kirkuk; and (d) referendum on formation of regions. He described the current IECI membership (both local and central) as technocratic and non-partisan, because the members were chosen based on their competence, with U.N. involvement. Under the IHEC, by contrast, members will be chosen by the CoR and, as such, will be neither "politically independent" nor "competent and experienced," despite the requirements of the IHEC. As evidence, Saad stated that, when he asked a member of the Legal Committee of the CoR whether nominees would be subjected to a competency test, he laughed. Saad further predicted that the entire current staff of the IECI (some 1,000 persons) would be replaced by the party faithful. Saad noted that, while President Bush wants PC elections to be held in 2007, Saad believes it will take some 6-7 months to stand up the IHEC, thus pushing back PC elections to 2008.

KIRKUK TO THE KURDS AND A REGIONAL GOVERNMENT FOR THE SOUTH

¶4. (C) Saad speculates that the new law arises out of an accommodation between the Kurdish Alliance (KA) and SCIRI, under which the KA will support SCIRI in forming a regional government in Southern Iraq, while SCIRI will support the Kurds in assuming control of Kirkuk. In furtherance of this scheme, Saad said, the Board of Commissioners under the new law will turn a blind eye to what Saad predicted will be "widespread" voting fraud through manipulation of voter lists. (Note: Art. 10 of the law on the formation of regions gives the national office of the IECI responsibility for overseeing referenda on formation of regions. End Note.) As an example of the possibilities for mischief, Saad claimed that the current (and independent) GEO responsible for Kirkuk recently removed some 80,000 names that had improperly been placed on the voter lists. Saad said that the Diwaniyah

voter lists were out of date and thus likewise easily subject to manipulation. Saad also predicted that the Kurdish Alliance and SCIRI would seek to solidify their positions by gerrymandering electoral districts.

ALTERNATE COURSES OF ACTION

¶5. (C) When asked what could be done, Saad said that since the Presidency has not yet signed the IHEC, they could return it to the CoR for improvement. He acknowledged, however, that this was unlikely. As an alternative, Saad suggested that implementation of the IHEC be delayed until after PC elections, which would accordingly be overseen by the IECI. (Note: Saad did not propose a mechanism for implementation of this latter alternative. End Note.) As a second alternative, Saad asked that the Coalition put informal pressure on GOI to (a) appoint competent people as IHEC Commissioners, and (b) keep the current staff (which has, he noted, received substantial training from USG and UN). Embassy Poloff said that the Embassy would be watching the PC elections closely and would do what it could to ensure that the IHEC provisions relating to competency and independence were upheld.

SEEKS ELECTORAL ASSISTANCE FOR DIWANIYAH -- IEAT NOTIFIED

¶6. (C) Saad stated that the Diwaniyah IECI had a number of needs: (a) additional office space; (b) generators and wireless laptops for use at the 19 polling stations; (c) staff training; (d) election assistance. Subsequent to the meeting with Saad, PRT Diwaniyah initiated discussions with the International Elections Action Team (IEAT), regarding the request and the role that PRT Diwaniyah and the other REO Hillah-based PRTs could play with respect to elections in South Central Iraq. IEAT advises that it has in place a comprehensive strategic plan for electoral capacity building, but may have need for field-based assistance with local GEOs. PRT Diwaniyah will continue to explore these possibilities with IEAT. Comment: A potential complication with providing assistance is that Saad and his staff may not, by his own account, remain in their positions for very long, and that assistance we provide may be wasted, if his replacement does not share his concerns. Alternatively, assistance might be used by Saad as an argument to be retained, or by USG/IEAT as an entree to his successor, if he is not retained. End Comment.

BIO NOTE

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¶7. (C) Saad is a frequent and well-known visitor to REO Hillah. In addition to his electoral duties, he is a practicing attorney, a lecturer at Qadisiyah University, and a former International Visitor. He considers himself a technocrat without party affiliation.

COMMENT

¶8. (C) Comment. Saad is of course not a completely objective observer, since the IHEC will adversely impact his and his staff's future employment prospects. Nevertheless, he is considered by the REO Hillah personnel with whom he has worked to be serious and thoughtful. End Comment.

DAVISON